

## § 1429.113

### § 1429.113 Maintaining records.

Producers applying for payment through the Asparagus Revenue Market Loss Assistance Payment Program must maintain records and accounts to document all eligibility requirements specified in this part. Such records and accounts must be retained for 3 years after the date of payment.

### § 1429.114 Refunds; joint and several liability.

(a) Excess payments, payments provided as the result of erroneous information provided by any person, or payments resulting from a failure to comply with any requirement or condition for payment in the application or this part, must be refunded to CCC.

(b) A refund required as specified in this section will be due with interest from the date of CCC disbursement and determined in accordance with paragraph (d) of this section and late payment charges as provided in part 1403 of this chapter.

(c) Persons signing an ALAP Program application as having an interest in the asparagus farm operation will be jointly and severally liable for any refund and related charges found to be due as specified in this section.

(d) Interest will be applicable to any refunds required as specified in parts 792 and 1403 of this title. Such interest will be charged at the rate that the U.S. Department of the Treasury charges CCC for funds, and will accrue from the date CCC made the erroneous payment to the date of repayment.

(e) CCC may waive the accrual of interest if it determines that the cause of the erroneous determination was not due to any action of the person, or was beyond the control of the person committing the violation. Any waiver is at the discretion of CCC alone.

### § 1429.115 Miscellaneous provisions and appeals.

(a) *Offset.* CCC may offset or withhold any amount due CCC as specified in this part in accordance with the provisions of part 1403 of this chapter.

(b) *Claims.* Claims or debts will be settled in accordance with the provisions of part 1403 of this chapter.

(c) *Other interests.* Payments or any portion thereof due under this part will

## 7 CFR Ch. XIV (1–1–12 Edition)

be made without regard to questions of title under State law and without regard to any claim or lien against the asparagus crop, or proceeds thereof, in favor of the owner or any other creditor except agencies and instrumentalities of the U.S. Government.

(d) *Assignments.* Any asparagus producer entitled to any payment as specified in this part may assign any payment in accordance with the provisions of part 1404 of this chapter.

(e) *Appeals.* Appeals will be handled as specified in parts 11 and 780 of this title.

## PART 1430—DAIRY PRODUCTS

### Subpart A—Dairy Product Price Support Program

Sec.

- 1430.100 Applicability.
- 1430.101 Definitions.
- 1430.102 Eligible products.
- 1430.103 Purchase prices.
- 1430.104 Sales from inventories.

### Subpart B—Milk Income Loss Contract Program

- 1430.200 Applicability.
- 1430.201 Administration.
- 1430.202 Definitions.
- 1430.203 Eligibility.
- 1430.204 Requesting benefits.
- 1430.205 Selection of starting month.
- 1430.206 [Reserved]
- 1430.207 Dairy operation payment quantity.
- 1430.208 Payment rate and dairy operation payment.
- 1430.209 Proof of market loss production.
- 1430.210 MILC agents.
- 1430.211 Duration of contracts.
- 1430.212 Contract modifications and statutory changes in program.
- 1430.213 Reconstitutions.
- 1430.214 Violations.
- 1430.215 [Reserved]
- 1430.216 Contracts not in conformity with regulations.
- 1430.217 Offsets and withholdings.
- 1430.218 Assignments.
- 1430.219 Appeals.
- 1430.220 Misrepresentation and scheme or device.
- 1430.221 Estates, trusts, and minors.
- 1430.222 Death, incompetency, or disappearance.
- 1430.223 Maintenance and inspection of records.
- 1430.224 Refunds; joint and several liability.
- 1430.225 Violations of highly erodible land and wetland conservation provisions.